

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Application Serial No. 75/845,350, INTELLIWEAR
Published in the *Official Gazette* on October 30, 2001

-----X
MARK D. TANNEN,

Opposer,

vs.

JAY MACK,

Applicant.
-----X

Opposition No. 91151109

CERTIFICATE OF MAILING

I, PURITA T. EUGENIO, hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, in an envelope addressed to COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3514 on the date shown below.

Typed or Printed Name of Person Signing Certificate: PURITA T. EUGENIO

Signature: Purita T. Eugenio

Date: NOVEMBER 21, 2003

EXPRESS MAIL LABEL: EU375771828US

Box TTAB NO FEE

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

STIPULATED SUSPENSION OF PROCEEDINGS

It is hereby stipulated and agreed, by and between the parties hereto through their respective undersigned counsel, pending further order of the Trademark Trial and Appeal Board ("The Board"), and effective as of November 17, 2003, that the Proceedings in this matter are suspended pursuant to 37 CFR 2.117(c), including all pending motions and discovery requests.

1. Pursuant to 37 CFR 2.117(c), the Proceedings may be suspended, for good cause, upon motion or a stipulation of the parties approved by the Board.
2. The parties are currently exploring the potential for settlement which if successful would resolve the instant dispute.
3. The parties request that the Board approve this stipulation to suspend proceeding consistent with TBMP § 510.03, so that the parties may have an opportunity to explore the potential for settlement in this matter and possibly resolve this dispute.

4. The parties through their respective undersigned counsel agree to submit this Stipulated Suspension of Proceedings for entry by The Board and to be bound by its terms prior and subsequent to entry by The Board.

5. Both parties reserve the right to request at any time that the suspension be lifted, that the proceeding resume and that the Board reset discovery and trial dates.

Respectfully submitted,

BAKER BOTTS, LLP

Date: 11-20-03

By: Paul J. Reilly

Paul J. Reilly
Baker Botts, LLP
30 Rockefeller Plaza, 44th floor
New York, New York 10112-0228
Attorneys for Opposer

DAVIS & SCHROEDER
A PROFESSIONAL CORPORATION

Date: 11-20-03

By: Robert T. Daunt, Esq.

Robert T. Daunt, Esq.
Mark W. Good, Esq.
215 West Franklin Street, 4th Fl.
P.O. Box 3080
Monterey, California 93942-3080
Attorneys for Applicant

SO ORDERED this _____
day of _____, 2003

Administrative Trademark Judge
Trademark Trial and Appeals Board

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing STIPULATED SUSPENSION OF PROCEEDINGS was mailed FIRST CLASS mail, postage prepaid, this 21st day of November, 2003 on Opposer's counsel:

Paul J. Reilly, Esq.
BAKER BOTTS, L.L.P.
30 Rockefeller Plaza, 44th Floor
New York, NY 10112-0228



Robert T. Daunt

HAB

I, PURITA T. EUGENIO, hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, in an envelope addressed to COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3514 on the date shown below.

Typed or Printed Name of Person Signing Certificate:- PURITA T. EUGENIO

Signature: Purita T. Eugenio

Date: NOVEMBER 21, 2003

Express Mail Label: EU375771828US



11-24-2003

U.S. Patent & TMO/TMA Mail Rpt Dt #58

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK TRIAL AND APPEAL BOARD

MARK D. TANNEN,

Opposer,

vs.

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Applicant.

Opposition No.: 91151109

Serial No.: 75/845,350

COMMISSIONER FOR TRADEMARKS
2900 CRYSTAL DRIVE
ARLINGTON, VA 22202-3514

Dear Sir:

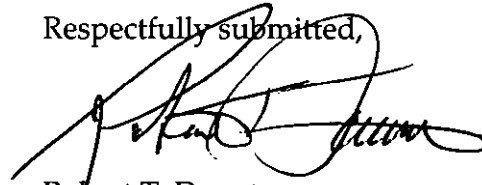
TRANSMITTAL LETTER

In connection with the above-identified opposition proceedings, transmitted herewith are the following:

- (1) Stipulated Suspension of Proceedings - 3 pages; and
- (2) Postcard.

Please date-stamp the enclosed postcard and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,



Robert T. Daunt

RTD:pte
November 21, 2003
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